LEECH *v.* STATE OF LOUISIANA.

ERROR TO THE SUPREME COURT OF LOUISIANA.

No. 152. Submitted April 15, 1909.—Decided May 17, 1909.

The Mississippi river is a boundary between Mississippi and Louisiana from below the port of Natchez as far north as Louisiana extends; but below Natchez all the river is wholly within Louisiana, and that State, subject only to the paramount power of Congress, has exclusive jurisdiction over pilotage in the river between points south of Natchez.

Section 4236, Rev. Stat., act of March 2, 1837, c. 22, 5 Stat. 153, allowing the master of vessels coming in or going out of ports on boundary rivers to employ any pilot licensed by either State, does not apply to pilotage to ports on a river below the point where it becomes a boundary river; and a pilot licensed only by Mississippi has no right to pilot a vessel from the Gulf of Mexico to New Orleans.

Quære whether under § 4236 a pilot licensed only by Mississippi can pilot a vessel from the Gulf to Natchez.

Neither continuity of water nor identity of name will make a river a boundary river except where it flows between the States it separates for a part of its course; it ceases to be a boundary river wherever it is wholly within one State.

119 Louisiana, 522, affirmed.

THE facts are stated in the opinion.

Mr. George H. Terriberry for plaintiff in error:

A regulation of pilots is a regulation of commerce, within